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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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WASHINGTON, DC 20001

EXAMINER

SKED, MATTHEW J

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/662,758

Applicant(s)

CHENG ET AL.

Examiner

Matthew J Sked

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/21/04
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher et al. (U.S. Pat. 5,884,246).

As per claim 1, Boucher discloses a system for translating data comprising:

a data source to be translated connected to a network (originating site, col. 4, lines 59-62);

translation source connected to the network (translationsite.com, col. 9, lines 14-21);

portal means connected to said network for retrieving said data to be translated, said portal means comprising:

a selection means for selecting at least one data string, said at least one data string being a portion of said data to be translated (translation site translates at least a

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portion of the data to be translated hence it would involve selecting at least one data string, col. 4, lines 16-19);

a translating means for translating said at least one data string (translation machine, Fig. 2E, element 136);

a storage memory for storing the at least one data string and the corresponding translated at least one data string (the data to be translated would inherently be stored or buffered in order to be translated and the corresponding translated data would inherently be stored or buffered in order to be transmitted to the secondary translation machines, col. 12, lines 40-63); and

a transmitting means for transmitting at least partially translated data to said translation source for completing translation of said data (secondary translation machines edit the primary machine translations that have been transmitted over a communication link, col. 12, lines 40-63).

Boucher does not specifically teach the at least partially translated data includes the data to be translated.

However, the Examiner takes Official Notice that using the original document to be translated in translation is notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to also transmit the data to be translated to the secondary translation machines because it would facilitate the secondary translation for the human translators.

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4. As per claim 2, Boucher teaches the storage memory stores said data to be translated (the data to be translated would inherently be stored or buffered in order to be translated, col. 12, lines 40-63).

5. As per claim 5, Boucher also discloses transmitting the completed translation back to the data source (col. 10, lines 49-53).

6. Claims 3, 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Goldberg et al. (U.S. Pat. 6,161,082).

As per claim 3, Boucher does not teach the storage memory contains previously stored data strings and prior data to be translated from prior translations, said previously stored data strings being portions of prior data to be translated associated with said prior translations thereof.

Goldberg teaches a network based language translation device that uses previously translated sentences that are stored in a database for translation (col. 4, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to use previously translated sentences because, as taught by Goldberg, it would produce more grammatically correct translated sentences (col. 4, lines 9-22).

7. As per claim 4, Boucher does not teach comparing said at least one data string to be translated with a previously stored data string from prior translation and associating a corresponding prior translation of said previously stored data string with

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said at least one data string to be translated responsive to a match substantially being found.

Goldberg teaches using this database in translation hence it would inherently compare the string to be translated to a stored string to determine the translation (col. 4, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to compare the incoming data with the database for translation because it is convenient to use the dictionary based translation to do so.

8. As per claim 19, Boucher teaches a system for translating data transmitted electronically through a global computer network, comprising:

at least one user terminal coupled to the global computer network for transmitting and receiving user related data therethrough (uscompany.com, Fig. 2E, element 100);

at least one vendor terminal coupled to the global computer network for transmitting and receiving vendor related data therethrough (secondary translation machines, Fig. 2E, element 138);

a first computer coupled to the global computer network for exchanging user related data with said at least one user terminal and vendor related data with said at least one vendor terminal through the global computer network (translationsite.com, Fig. 2E, element 104);

a file storage memory coupled to said first computer for storing user related current document data representing documents to be translated transmitted from said at

least one user terminal (translationsite.com transmits the data to be translated to the translation machine hence it would necessarily buffer or store it, col. 11, lines 31-35);

a second computer coupled to said first computer and said file storage memory for at least partially translating said current document data (translation machine, Fig. 2E, element 136);

said at least partial translation being sent to said first computer and transmitted therefrom to said at least one vendor terminal for completing translation of said current document data and uploading said completed translation to said first computer (translation machine communicates the translation to the secondary translation machines for further translation or editing, col. 12, lines 40-63), and

said first computer including means for transmitting said completed translation to said at least one user terminal and said second computer (col. 10, lines 49-53).

Boucher does not teach a database of previously entered document data and associated translated document data coupled to said second computer, said second computer comparing said current document data with said previously entered document data to match said current document data with corresponding translated document data, second computer including means for adding said current document data and said completed translation to said database.

Goldberg teaches a network based language translation device that uses previously translated sentences that are stored in a database for translation hence it would inherently compare the string to be translated to a stored string to determine the translation (col. 4, lines 9-22). Goldberg does not specifically teach adding the

document data to the database, however, the database is made up of previous translations hence suggesting that the currently translated data would be added to the database.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to use previously translated sentences in translation because, as taught by Goldberg, it would produce more grammatically correct translated sentences (col. 4, lines 9-22).

9. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being obvious over Boucher in view of Nishino et al. (U.S. Pat 5,295,068).

As per claims 6 and 7, Boucher does not teach transmitting the translated data via e-mail.

Nishino teaches transmitting an e-mail message with the completed translation (col. 4, lines 32-42).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to transmit the translated document by e-mail because it would allow the user to access the document at a time of his choosing as well as allow the document to be automatically saved for the user.

Neither Boucher nor Nishino teach using a link in the e-mail for download of the translation.

However, the Examiner takes Official Notice that network links are notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in



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the art at the time of invention by applicant to include a network link instead of the whole document in the e-mail because it would save e-mail transmission time and memory.

10. As per claim 8, Boucher does not specifically mention establishing and translating a glossary.

Nishino teaches translating a glossary for the incoming data (private-use word dictionary, col. 3, lines 13-35).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher to include a glossary because it gives a way to customize the translation for a better final translation for the particular user.

11. As per claim 9, Boucher does not teach combining multiple glossaries.

Nishino teaches combining glossaries from multiple sources. (col. 13, lines 40-58).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher to combine multiple translated glossaries because it gives the ability to use a larger glossary for when a less topic specific translation is needed.

12. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Goldberg and taken in further view of Thompson et al. (U.S. Pat. 5,644,775).

Boucher and Goldberg do not teach identifying and extracting redundant strings in said data to be translated for translation separate from other strings therein.

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Thompson teaches a translation system that identifies repeated items of text and translates them separately from the rest of the data (col. 4, lines 31-45).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Goldberg to identify and extract redundant strings in said data to be translated for translation separate from other strings therein as taught by Thompson because it would only need to translate redundant strings once hence increasing translation speed.

13. Claims 11, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Takeda et al. (U.S. Pat. 5,895,446).

As per claim 11, Boucher discloses a system for translating data comprising:

a data source to be translated connected to a network (originating site, col. 4, lines 59-62);

translation source connected to the network (translationsite.com, col. 9, lines 14-21);

a plurality of translation sources connected to said network (secondary machines, col. 12, lines 40-63);

portal means connected to said network for retrieving said data to be translated, said portal means including:

means for at least partially translating data (translation machine, col. 11, lines 31-35), and

means for transmitting said at least partially translated data to translation source for completing translation said data (secondary translation machines edit the primary machine translations that have been transmitted over a communication link, col. 12, lines 40-63).

Boucher does not teach a means for collecting translation costs from said plurality of translation sources.

Takeda teaches a translation system that associates costs with each of a plurality of translation patterns (col. 11, lines 11-20).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to associate costs with each of the plurality of translation sources as taught by Takeda because it would allow the translation source that would best translate the data be chosen for translation hence giving the best translation results.

Boucher and Takeda do not teach a means for facilitating the user's selection of at least one of said plurality of translation sources.

However, the Examiner takes Official Notice that allowing a user to select a processor for processing a set of data is notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Takeda to allow the user to select the translation source because this would give the user more control over the translation hence ensuring a superior result.

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14. As per claim 13, Boucher teaches the storage memory stores said data to be translated (the data to be translated would inherently be stored or buffered in order to be translated, col. 12, lines 40-63).

15. As per claim 16, Boucher also discloses transmitting the completed translation back to the data source (sender, col. 10, lines 49-53).

16. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Takeda and taken in further view of Redpath (U.S. Pat 6,347,316).

Boucher and Takeda do not teach sending the translation from one translation source to a second translation source to check the accuracy of the translation.

Redpath discloses a system that translates web document and sends these web documents to second translation source for a more accurate translation (human, col. 6, lines 32-39).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher and Takeda to transmit the translation to a second translation source for checking accuracy as taught by Redpath because it would improve the translation results.

17. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Takeda and taken in further view of Goldberg.

As per claim 14, Boucher and Takeda do not teach the storage memory contains previously stored data strings and prior data to be translated from prior translations, said

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previously stored data strings being portions of prior data to be translated associated with said prior translations thereof.

Goldberg teaches a network based language translation device that uses previously translated sentences that are stored in a database for translation (col. 4, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Takeda to use previously translated sentences because, as taught by Goldberg, it would produce more grammatically correct translated sentences (col. 4, lines 9-22).

18. As per claim 15, Boucher and Takeda do not teach comparing said at least one data string to be translated with a previously stored data string from prior translation and associating a corresponding prior translation of said previously stored data string with said at least one data string to be translated responsive to a match substantially being found.

Goldberg teaches using this database in translation hence it would inherently compare the string to be translated to a stored string to determine the translation (col. 4, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Takeda to compare the incoming data with the database for translation because it is convenient to use the dictionary based translation to do so.

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19. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Boucher in view of Takeda and taken in further view of Nishino.

As per claims 17 and 18, Boucher and Takeda do not teach transmitting the translated data via e-mail.

Nishino teaches transmitting an e-mail message with the completed translation (col. 4, lines 32-42).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Takeda to transmit the translated document by e-mail because it would allow the user to access the document at a time of his choosing as well as allow the document to be automatically saved for the user.

Boucher, Takeda and Nishino do not teach using a link in the e-mail for download of the translation.

However, the Examiner takes Official Notice that network links are notoriously well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher, Takeda and Nishino to include a network link instead of the whole document in the e-mail because it would save e-mail transmission time and memory.

### ***Conclusion***


20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. King et al. (U.S. Pat. 6,278,969) teaches a translation system that uses previously translated data for translation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J Sked whose telephone number is (571) 272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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